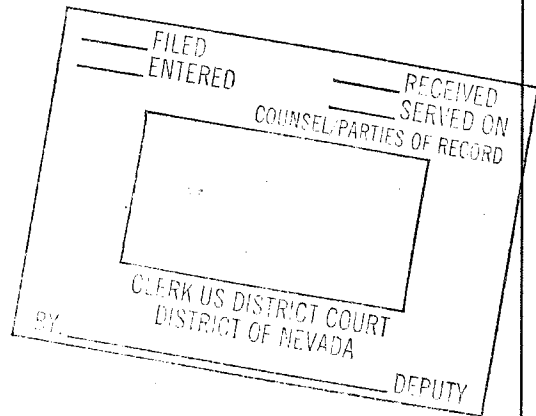


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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 ANTONIO YBANEZ, and  
14 JENNIFER HAMOY,

15 Defendants.

**CRIMINAL INDICTMENT**

Case No.: 2:17-cr- 401

Violation(s):

18 U.S.C. § 371 and 8 U.S.C. §1325(c) –  
Conspiracy to Commit Marriage Fraud

16 THE GRAND JURY CHARGES THAT:

17 A. INTRODUCTORY ALLEGATIONS

18 At all times relevant to this Indictment:

19 1. For an alien to obtain permanent resident status, commonly known as  
20 a “green card,” on the basis of marriage to a United States citizen, two separate  
21 applications had to be filed with U.S. Citizenship and Immigration Services (CIS),  
22 which was the government agency that adjudicated immigration-related  
23

1 applications, including applications for visas and applications for citizenship. The  
2 United States citizen spouse were required to file a Petition for Alien Relative  
3 (Form I-130), commonly known as a "visa petition," on behalf of the alien spouse.  
4 Either simultaneously or sometime thereafter, the alien spouse was required to file  
5 an Application to Register Permanent or Adjust Status (Form I-485), commonly  
6 known as an "application for adjustment of status."

7 2. An I-130 visa petition was a document that required the citizen spouse to  
8 provide, among other things, the marital address. In signing the document, the  
9 citizen spouse was required to certify under oath that the information in the  
10 petition was true and correct.

11 3. An application for adjustment of status was a document that required an  
12 alien spouse to provide biographical information, including the alien's address. The  
13 application also contained a series of questions addressing various bases by which  
14 an application could be denied. For example, these questions included whether an  
15 alien had engaged in any criminal activity. These questions also included whether  
16 the alien had ever sought to procure a visa by fraud or willful misrepresentation of  
17 a material fact, which included attempts to procure permanent resident status  
18 through fraud. With his or her signature, an alien spouse certified under penalty of  
19 perjury that all the information in the application for adjustment of status was true  
20 and correct.

21 4. Typically, CIS conducts one or more interviews of the spouses prior to a  
22 decision on the visa petition and adjustment of status application. Both spouses are  
23

1 placed under oath before any interview was conducted. CIS specifically conducts  
2 interviews to determine whether a particular marriage is valid.

3 COUNT ONE  
4 (Conspiracy to Commit Marriage Fraud)

5 5. The Grand Jury repeats, re-alleges and incorporates by reference all of the  
6 allegations set forth in paragraphs 1 through 4 of this Indictment as if set forth  
7 herein.

8 B. THE OBJECT OF THE CONSPIRACY

9 6. Beginning on or about December 10, 2013, and continuing to on or about  
10 July 10, 2015, within the District of Nevada, and elsewhere, defendants ANTONIO  
11 YBANEZ, and JENNIFER HAMOY, also known as "Tony" and "Jenny,"  
12 ("defendants"), together with others known and unknown to the Grand Jury,  
13 knowingly combined, conspired, and agreed to commit the following offenses against  
14 the United States:

15 a. To knowingly and unlawfully assist others to enter into marriage for  
16 the purpose of evading a provision of the immigration laws of the United States,  
17 without intending to establish a life together as husband and wife, in violation of  
18 Title 8, United States Code, Section 1325(c); and

19 b. To knowingly present an application, affidavit, and other document  
20 required by the immigration laws and regulations prescribed thereunder, under  
21 oath and under penalty of perjury, knowing that it contained a false statement with  
22 respect to a material fact and failed to contain any reasonable basis in law and fact,  
23 in violation of Title 18, United States Code, Section 1546(a).

1 C. THE MANNER AND MEANS OF THE CONSPIRACY

2 7. The objects of the conspiracies were carried out, and to be carried out, in  
3 substance, as follows:

4 a. The defendants arranged a sham marriage for the individuals listed  
5 below so that the noncitizen immigrant could obtain permanent resident status  
6 through a marriage to a United States citizen. The defendants instructed the  
7 couple on how to make the marriage appear genuine by opening joint bank  
8 accounts, filing joint tax returns, obtaining driver's licenses with the same address,  
9 and taking photographs of themselves.

10 b. The defendants would also provide paralegal services for the couple.  
11 Through this service, the couple would file visa petitions and applications for  
12 adjustment of status containing false statements with CIS.

13 c. The defendants would also instruct the individuals to lie to law  
14 enforcement agents to conceal the true nature of the marriages in question.

15 D. OVERT ACTS – MARRIAGE of M.V. and S.J.

16 In furtherance of the conspiracy, and to accomplish its objects, on or about  
17 the following dates, defendants and others known and unknown to the Grand Jury,  
18 committed various overt acts, within the District of Nevada, and elsewhere,  
19 including but not limited to, the following:

20 Overt Act No. 1: On or about December 10, 2013, YBANEZ met with M.V., a  
21 citizen of the Philippines, to discuss entering in into a sham marriage with D.P., a  
22 United States citizen, for the purposes of immigration benefits. The parties met at  
23

1 a coffee shop in Las Vegas, NV, and they discussed the details of M.V. entering a  
2 fraudulent marriage in exchange for a total of \$18,000 to be paid to YBANEZ at  
3 intervals throughout the process.

4 Overt Act No. 2: On or about January 14, 2014, YBANEZ met with M.V. to  
5 discuss entering into a sham marriage with E.H., a United States citizen, for the  
6 purpose of immigration benefits. The parties met at a coffee shop in Las Vegas, NV  
7 where YBANEZ stated that they would use a paralegal named "Jenny," later  
8 identified as HAMOY, to handle the immigration paperwork because she would be  
9 cheaper than an attorney. YBANEZ initially prevented M.V. and E.H. from  
10 exchanging phone numbers for fear the parties would enter a marriage without  
11 YBANEZ's assistance but eventually relented.

12 Overt Act No. 3: On or about March 10, 2014, M.V. called YBANEZ to let  
13 him know that he/she was not comfortable with E.H. as his/her potential spouse.  
14 M.V. indicated to YBANEZ that he/she had found a co-worker, S.J., that would be  
15 willing to assist in the sham marriage. YBANEZ agreed and indicated he would act  
16 as a neutral party for the sham marriage but indicated that he would need to meet  
17 with S.J. face-to-face.

18 Overt Act No. 4: On or about April 4, 2014, YBANEZ met with M.V. and S.J.  
19 for the purposes of entering into a sham marriage. The parties met at a fast-food  
20 restaurant in Las Vegas, NV where YBANEZ inquired as to S.J.'s marriage status,  
21 income, filing of income tax returns, and whether he/she had any trouble with the  
22 law. YBANEZ also described the income thresholds needed for a successful sham  
23

1 marriage. YBANEZ explained the entire sham marriage procedure, the fee  
2 schedules, and the use of HAMOY as the paralegal to assist with the immigration  
3 documents to keep costs low.

4 Overt Act No. 5: On or about April 18, 2014, YBANEZ called M.V. and told  
5 M.V. that he/she needed to get a driver's license in order for M.V. to be eligible for a  
6 marriage license.

7 Overt Act No. 6: On or about April 30, 2014, S.J. called YBANEZ to inquire  
8 about which wedding chapel they would use for the sham marriage. YBANEZ  
9 stated that they would use the "Heavenly Bliss" wedding chapel in Las Vegas, NV  
10 and that YBANEZ would be present throughout the marriage ceremony.

11 Overt Act No. 7: On or about May 19, 2014, after securing what on its face  
12 appeared to be a valid marriage license, YBANEZ had M.V., S.J., and other law  
13 enforcement officers acting in an undercover capacity, follow him to the "Stained  
14 Glass Chapel," located at 721 S. Casino Center Blvd., Las Vegas, NV, for the  
15 purpose of entering into the sham marriage. After the ceremony, YBANEZ provided  
16 M.V. and S.J. with a six-page questionnaire to prepare them for the immigration  
17 interview regarding the legitimacy of their marriage. YBANEZ accompanied M.V.  
18 and S.J. to the wedding reception at a local casino. YBANEZ also propositioned  
19 R.G., a law enforcement officer acting in an undercover capacity, to enter into a  
20 sham marriage because he was a United States citizen.

21 Overt Act No. 8: On or about October 29, 2014, YBANEZ met with M.V. and  
22 S.J., at a coffee shop located in Las Vegas, NV to prepare for their meeting at  
23

1 HAMOY's office. YBANEZ stated that HAMOY had been handling all of the  
2 necessary immigration paperwork for his clients and that she was aware of the  
3 fraudulent nature of the marriage. Later that same day, YBANEZ, M.V., and S.J.  
4 met with HAMOY at her office located at 953 E. Sahara Ave., Unit F20, Las Vegas,  
5 NV. HAMOY then instructed M.V. to take photos and other steps to make the  
6 marriage appear to be legitimate including having all of M.V.'s mail go to S.J.'s  
7 residence. HAMOY also listed the documents needed for the application including a  
8 medical examination and vaccination records. HAMOY instructed M.V. to meet in  
9 public locations to get to know each other and provided them with an additional  
10 questionnaire to prepare for their immigration interview. HAMOY stated that they  
11 cannot remarry anyone else for two years to allow M.V. to get past his/her  
12 conditional residence status but would be able to assist with their divorce at the  
13 appropriate time.

14 Overt Act No. 9: On or about October 31, 2014, S.J. met with HAMOY at a  
15 gas station in Las Vegas, NV to provide her with the fees associated with the  
16 immigration documents.

17 Overt Act No. 10: On or about November 14, 2014, HAMOY met with S.J. at  
18 her office in Las Vegas, NV to sign immigration paperwork and indicated that S.J.  
19 should send HAMOY any paperwork he/she received from the United States  
20 Citizenship and Immigration Services (USCIS).

21 Overt Act No. 11: On or about December 4, 2014, HAMOY mailed the  
22 completed immigration documents from Las Vegas, NV detailing the sham  
23

1 marriage to USCIS. HAMOY sent a text message to S.J. showing the US postal  
2 Service certified mail receipt.

3 Overt Act No. 12: On or about April 8, 2015, S.J. called HAMOY to discuss a  
4 meeting before the immigration interview scheduled for April 22, 2015.

5 Overt Act No. 13: On or about April 15, 2015, HAMOY met with S.J. and  
6 M.V. at a coffee shop in Las Vegas, NV to prepare them for their immigration  
7 interview. HAMOY asked S.J. whether he/she and M.V. had prepared joint tax  
8 returns and told S.J. to have M.V. look organized at their interview and have all of  
9 the paperwork in a folder with plastic dividers. HAMOY provided copies of the  
10 documents she filed with USCIS to S.J. HAMOY told S.J. to memorize the  
11 biographical information contained in the immigration documents and to bring  
12 photos of S.J. with M.V.

13 Overt Act No. 14: On or about June 5, 2015, S.J. called HAMOY to inform  
14 her that they did not pass their immigration interview and were issued a notice  
15 that their immigration benefit petition would be denied unless further information  
16 was received. HAMOY appeared to be surprised and asked to review a copy of the  
17 letter.

18 Overt Act No. 15: On or about June 10, 2015, S.J. met with HAMOY at her  
19 office to discuss the denial letter. HAMOY suggested that they seek out the  
20 assistance of an attorney if S.J. and M.V. wanted to proceed with the application.  
21 HAMOY told S.J. not to tell the attorney the marriage was fraudulent so the  
22  
23



1 attorney would work with them. HAMOY had S.J. follow her out of the office and  
2 pointed to an attorney's office across the street.

3 All in violation of Title 18, United States Code, Section 371 and Title 8,  
4 United States Code, Section 1325(c).

5 **DATED:** this 20<sup>th</sup> day of December, 2017.

6 **A TRUE BILL:**

7  
8 /S/  
9 FOREPERSON OF THE GRAND JURY

10 STEVEN W. MYHRE  
11 Acting United States Attorney

12 

13 BRANDON C. JAROCH  
14 Assistant United States Attorney